

REMARKS

Amendment To Claims

Applicants are amending Claims 10, 11, 18 and 19 to correct minor informalities in the claims. These amendments are not in response to a patentability rejection.

In order to advance the prosecution of this application, Applicants are canceling Claims 1-8 and 21-31 without prejudice or disclaimer.

Applicants will now address each of the Examiner's rejections in the order in which they appear in the Office Action.

Claim Rejections – 35 USC §112

In the Office Action, the Examiner rejects Claims 27 and 28 under 35 USC §112, second paragraph, as being indefinite. This rejection is respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants are canceling Claims 27 and 28, without prejudice or disclaimer, rendering this rejection moot. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claim Rejections - 35 USC §102

The Examiner rejects Claims 1-4, 6-26 and 29-31 under 35 USC §102(b) as being anticipated by Kido et al. (US 2003/0189401). This rejection is also respectfully traversed.

More specifically, in the rejection, the Examiner contends that the "cathode" and the "anode" in Kido correspond to the "first electrode" and the "second electrode" of independent Claims 1, 9, 13, 21, respectively. Further, it appears that the Examiner is contending that the "charge generation

layer" in Kido corresponds to the "first layer" and the "second layer" of independent Claims 1, 9, 13, 21 as the Examiner contends that there are two hole transporting layers in Fig. 2 in Kido and that Kido discloses that the charge generation layer includes "a laminated and/or a mixed layer including an organic compound...and an inorganic...material" and cites paragraph [0028] in Kido which mentions a hole transporting property.

However, even if the Examiner's contentions were true (which Applicants do not admit), Kido still does not disclose or suggest the claimed invention as it appears that the charge generation layer in Kido is not in contact with the first electrode or the second electrode (i.e. cathode and anode, respectively), as shown in Fig. 8 in Kido. Therefore, Kido does not disclose or suggest the claimed features of "the first layer is in contact with the first electrode," or "the second layer is in contact with the second electrode," of independent Claims 9 and 13. Accordingly, independent Claims 9 and 11 are not disclosed or suggested by Kido, and Claims 9, 11 and those claims dependent thereon are patentable over Kido.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants are canceling Claims 1-4, 6-8, 21-26 and 29-31, without prejudice or disclaimer, rendering the rejection of these claims moot.

Accordingly, it is respectfully requested that this rejection be withdrawn.

Claim Rejections - 35 USC §103

The Examiner also rejects Claims 5 under 35 USC §103(a) as being unpatentable over Kido in view of Arai (US 6,249,085). This rejection is also respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants are canceling Claim 5, without prejudice or disclaimer, rendering this rejection moot. Accordingly, it is respectfully requested that this rejection be withdrawn.

New Claims

Applicants are adding new Claims 32-47.

New dependent Claims 32 and 33 are supported by, for example, at least Figs. 9A-9E of the present application. New independent Claims 34 and 39 are based on pending independent Claims 9 and 13, respectively (and the claims dependent on these new independent claims are based on the claims dependent on Claims 9 and 13). Hence, no new matter is being added.

These new claims are allowable for at least the reasons discussed above for the pending independent claims.

Accordingly, it is respectfully requested that these new claims be entered and allowed.

Please charge our deposit account 50/1039 for any fee due for these new claims.

Information Disclosure Statement

Applicants are submitting an information disclosure statement (IDS) herewith. It is respectfully requested that this IDS be entered and considered prior to the issuance of any further action on this application.

Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any fee should be due for this amendment, the IDS, and/or the new claims, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Dated: March 18, 2009

Respectfully submitted,

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